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|-------------------------------|-------------|----------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/646,639 | 08/22/2003 | Thomas J. Fogarty | ARB-9003 | 9788 |
| 7590 | 03/19/2009 | | EXAMINER | |
| William A. English | | | PREBILIC, PAUL B | |
| Cohen Sakaguchi & English LLP | | | | |
| 9th Floor | | | ART UNIT | PAPER NUMBER |
| 2040 Main Street | | | | 3774 |
| Irvine, CA 92614 | | | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 03/19/2009 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|--|-------------|---|---------------------|
| 10646639 | 8/22/03 | FOGARTY ET AL. | ARB-9003 |
| EXAMINER | | | |
| William A. English Cohen Sakaguchi & English LLP 9th Floor 2040 Main Street Irvine, CA 92614 | | | Paul B.. Prebilic |
| ART UNIT | | PAPER | |
| 3774 | | 20090316 | |

DATE MAILED:

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Commissioner for Patents

The reply filed on December 19, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): it did not at least acknowledge the request to provide a list of all copending applications that set forth similar subject matter to the present claims; see the second paragraph of the "Conclusion" section. This same request was made in the previous two Office actions, and to the Examiner's knowledge, was not at least acknowledged in the responses thereto. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Paul B. Prebilic whose telephone number is (571) 272-4758. He can normally be reached on 6:30-5:00 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on 571-272-4749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Paul B. Prebilic/
Primary Examiner, Art Unit 3774